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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/308,114	05/13/1999	AKEMI SAWADA	J355-019US	5717

7590 10/02/2002

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EXAMINER

TRAN, MAIKHANH

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/308,114

Applicant(s)

SAWADA, AKEMI

Examiner

MAIKHANH T. TRAN

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-11 is/are rejected.
- 7) ☐ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 2-4 and 9 recites the limitation "the one or more/the information providing servers" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Voit et al (U.S. 6,157,648 A).

- As to claims 1 and 2, Voit et al., in fig. 3, disclose a communications system comprising: branching means (312) connected with a subscriber line (344); switching system means (310) connected with one terminal of the branching means; and information provider server (314), provided as associated with the switching system means, and connected with another terminal of the branching means, for providing a subscriber device (340) with information through the subscriber line.

Moreover, one or more information providing servers (316 and 324) are placed together with the switching system means (310) in a corresponding switching station.

4. Claims 1, 6 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu et al. (U.S. 6,349,096 B1).

- As to claims 1, 6 and 10, Liu et al., in fig. 3, disclose a communications system comprising: branching means (241), switching system means (242), information provider server (243) with structure and functions as claimed. Besides, the branching means (241) separates signals based on frequency bands, and it is inherent that, for 2-way communication, the branching means (241) connects the subscriber line (225) with the switching system means (242) in response to a call-out signal sent from the switching system means to the subscriber line.

5. Claims 1, 3-4, 9 and 11 rejected under 35 U.S.C. 102(e) as being anticipated by Melen et al (U.S. 5,956,391 A).

- As to claims 1, 3-4, 9 and 11, Melen et al., in figure 2, disclose a communications system comprising: branching means (4), switching system means

(SCP), information provider server (6) with structure and functions as recited in claims 1 and 11. Besides, information provider servers (7, 8, 13) are connected with an access point (10) to the Internet (11), and one of the servers is a mail server (7), one of the servers is a document browsing server (13).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (U.S. 6,157,648 A) as applied to claim 1 above, and further in view of MacNaughton et al. (5,796,393 A).

- As to claims 7 and 8, Voit et al. disclose a communications system as discussed in claim 1 above. Voit et al., however, fail to clearly teach that the subscriber line is connected with the information providing server based on a service identification number, and an information providing server provided for each community is accessed by inputting the service identification number followed by a corresponding community identification code. MacNaughton et al., in col. 9, lines 2-18, teach that in a communications system having a plurality of information servers (local and foreign servers), when the user requests access to a community server, information such as

service ID number (community identification number) and community identification code (community text name) need to be supplied to established a connection from the user to the community server. Therefore it would have been obvious to ones skilled in the art at the time the invention was made to apply MacNaughton et al. teaching in Voit et al.' to reduce burden for routers in Voit et al. and provide quick connections to the users.

Allowable Subject Matter

8. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

- The prior art of the record fail to teach that call-out information is generated and supplied on to the subscriber line as recited in the structure of claim 5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAIKHANH T. TRAN whose telephone number is 703-308-7911. The examiner can normally be reached on MON-FRI 8:30AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WELLINGTON CHIN can be reached on 703-305-4366. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

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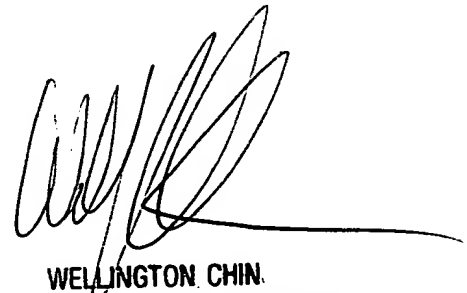
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872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Maikhanh Tran

September 17, 2002

A handwritten signature in black ink, appearing to read 'W. Chin', with a long horizontal line extending to the right.

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600